

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

LEAGUE OF WOMEN VOTERS OF
MICHIGAN, ROGER J. BRDAK,
FREDERICK C. DURHAL, JR., JACK
E. ELLIS, DONNA E. FARRIS, WILLIAM
“BILL” J. GRASHA, ROSA L. HOLLIDAY,
DIANA L. KETOLA, JON “JACK” G.
LASALLE, RICHARD “DICK” W. LONG,
LORENZO RIVERA and RASHIDA
H. TLAIB,

Plaintiffs,

v.

RUTH JOHNSON, in her official capacity
as Michigan Secretary of State,

Defendant.

Case No. 17-cv-14148

Hon. Eric L. Clay
Hon. Denise Page Hood
Hon. Gordon J. Quist

**Defendant Ruth Johnson’s
Response to Motion to
Intervene by Individual
Michigan Legislators**

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**DEFENDANT RUTH JOHNSON'S RESPONSE TO
MOTION TO INTERVENE BY INDIVIDUAL MICHIGAN LEGISLATORS**

For her response to the Motion to Intervene by Individual Michigan Legislators (ECF #70), Defendant Ruth Johnson states that she supports such intervention for the reasons stated in the motion and brief filed by the proposed intervenors.

Defendant emphasizes further that an election for her office is scheduled for November 6, 2018. Because Defendant is term-limited and cannot run again, there will necessarily be a new Secretary of State that assumes office on January 1, 2019.

It is impossible to know at present whether the new Secretary's representation, after taking office, will be adequate with respect to the proposed intervenors. Trial in this matter is scheduled for February, 2019. This presents a practical problem: if the new Secretary takes a position that does not adequately represent the proposed intervenors, there will be little time after the November 6, 2018 election for

intervention to be considered and for intervenors to be permitted into the litigation without disrupting trial. The Motion should thus be granted.

Respectfully submitted,
DICKINSON WRIGHT PLLC

Dated: July 26, 2018

/s/ Peter H. Ellsworth
Peter H. Ellsworth
Attorneys for Defendant

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**Defendant Ruth Johnson’s
Brief in Support of Her
Response to Motion to
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Michigan Legislators**

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**DEFENDANT RUTH JOHNSON'S BRIEF IN SUPPORT
OF HER RESPONSE TO MOTION TO INTERVENE BY
INDIVIDUAL MICHIGAN LEGISLATORS**

STATEMENT OF ISSUES PRESENTED

Should this Court grant the proposed intervenors' motion to intervene as a matter of right pursuant to Rule 24(a)(2), or permissively under Rule 24(b)?

CONTROLLING OR MOST APPROPRIATE AUTHORITY

Fed. R. Civ. P. 24

Brief in Support

The Secretary supports intervention by the individual legislators in this matter. As stated in her Response, it is guaranteed that a new person will hold the office of Secretary of State after January 1, 2019, just over a month before trial is to begin in this matter.

To avoid delay of trial and assure that the individual legislators' interests are adequately represented, their motion should be granted.

Respectfully submitted,
DICKINSON WRIGHT PLLC

Dated: July 26, 2018

/s/ Peter H. Ellsworth
Peter H. Ellsworth
Attorneys for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on July 26, 2018, I caused to have electronically filed the foregoing paper with the Clerk of the Court using the ECF system, which will send notification of such filing to all counsel of record in this matter.

Respectfully submitted,

/s/ Ryan M. Shannon

Ryan M. Shannon